



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-205A

Chris Ferguson, Executive Director
Oklahoma Funeral Board
3700 N. Classen Blvd., Suite 175
Oklahoma City, OK 73118

April 29, 2019

Dear Executive Director Ferguson:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Funeral Board intends to take with regard to Complaint 18-46. The licensee was previously disciplined by the Board for several incidents including offering services with an expired license. *See* A.G. Opin. 2018-295A. The licensee has failed to comply with the requirements of the previous order. As a result, the Board now proposes to require the licensee to fully comply with the previous order by May 9, 2019 and pay an additional \$1,562.25 in costs or the license will be suspended until compliance occurs.

The Funeral Services Licensing Act authorizes the Funeral Board to take enforcement action against licensees for failure to comply with the Act or Board rules promulgated thereunder. 59 O.S.Supp.2018, § 396.12c(5), (8). The Act requires a license to provide funeral services. *Id.* §§ 396.3a(1), 396.6(A), 396.10, 396.12a(B). The Board may reasonably believe that the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Funeral Board has adequate support for the conclusion that the proposed actions advance the State's policy to protect the public health, welfare and safety and to ensure that certain duties are performed only by licensed individuals.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL